



PURCHASE CELL

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MINUTES OF MEETING OF THE GRIEVANCE REDRESSAL COMMITTEE HELD ON 24th NOVEMBER, 2020 AT 03:30 P.M TO REDRESS THE GRIEVANCE APPLICATIONS OF THE FIRMS AGAINST TECHNICAL EVALUATION REPORT FOR THE PROCUREMENT OF NUCLEIC ACID EXTRACTION KITS FOR CORONAVIRUS (COVID-19) TESTING, CD&EPC PROGRAM, FY 2020-21 ON EMERGENCY BASIS

A meeting of the Grievance Redressal Committee was held on 24th Nov, 2020 at 03:30 P.M in committee room of Directorate General Health Services, Punjab, to address the grievances of the applicants, as per Rule 67 of Punjab Procurement Rules, 2014 (Amended), for Procurement Of Nucleic Acid Extraction Kits For Coronavirus (Covid-19) Testing, CD&EPC Program, FY 2020-21 on emergency basis as per Rule 59 (c) of PPR-2014 (Amended), Directorate General Health Services, Punjab, FY 2020-21.

Following members of Grievance Redressal Committee attended the meeting:

Sr. No.	Participants	
1.	Director Health Services (EPI), O/o DGHS	Chairman/Convener
2.	Director Health Services (CD&EPC), O/o DGHS	Member
3.	Senior Law Officer (Litigation Cell), O/o DGHS	Member
4.	Additional Director Health Services (Medical), O/o DGHS	Member
5.	Director Health Services (MIS), O/o DGHS	Member

Following member(s) of the Technical Evaluation Committee presented the cases on behalf of the Technical Evaluation Committee:

Sr. No.	Member(s)
1.	Deputy Director Pharmacy, O/o DGHS

The Chair welcomed all the participants and briefed about agenda of meeting i.e. Grievance Redressal of firms against Technical Evaluation Report.

The Chair instructed the representatives of aggrieved firms to come one by one serial wise based on receipt of grievance so that proper hearing/ redressal of grievance may be ensured. The grievances of firms and decisions of grievance redressal committee are as follow:

S. No.	Firm Name	Quoted item	Status of the firm declared in Technical Evaluation Report	Reasons of Rejection	Grievance of the firm	Decision of the Committee
1	M/s Pakistan Microbiological Associates	Nucleic Acid Extraction Kit (Magnetic Beads) SYSTAAQ Diagnostic Products (USA)	Non-responsive	<ol style="list-style-type: none"> 1. Brand, Model and Country of origin is not mentioned on Technical offer. 2. As the amount on copy of 2% Proposal/Bid Security is hidden so not verifiable. 3. China SFDA valid certificate of quoted product is not attached. 	<p>The firm has submitted grievance application pointwise as follows:</p> <ol style="list-style-type: none"> 1. All these details are mentioned in the technical bid, we have attached the brochure/literature of the kit. The same item was delivered as sample along with the technical bid which has been accepted as well. 2. We have attached teh EM Number 23565892 dated 16.11.2020 for Rs. 1,170,000 in technical bid and same has been packed in financial bid. 3. We have attached EC Declaration of Conformity of the quoted product in technical bid which is international widely acceptable. The quality certification China SFA is only specific for chinese manufacturers. The same product sample was submitted and the same 	<p>Mr. Yasir Ali, the representative of M/s Pakistan Microbiological Associates, attended the meeting and presented its grievance before the grievance redressal committee.</p> <p>The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following points:</p> <ol style="list-style-type: none"> 1. Upon scrutiny of the technical bid of the respective firm, it was revealed that make, model and country of origin of the quoted item has not been mentioned on technical offer. However, the firm had attached the brochure/literature of the quoted item and same has been again attached with grievance application which is accepted. 2. As the firm has attached with the grievance application the copy of 2% bid security with unhidden amount which is accepted being in accordance with the requirements of advertised RFQ. 3. The firm has failed to produce any

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					quality has been approved by the testing lab.	China SFDA Certificate of quoted item as per requirements of the advertised RFQ. Thus, the Grievance of the firm is rejected and status of the firm M/s Pakistan Microbiological Associates is declared as "Non-Responsive" .
2	M/s Global Marketing Services	TANBead Nucleic Acid Extraction Kit (Magnetic Beads) TianLong Science and Technology Co. Ltd. (China)	Non-responsive	1. As the amount on copy of 2% Proposal/Bid Security is hidden so not verifiable. 2. China SFDA valid certificate of quoted product is not attached.	The firm has submitted grievance application pointwise as follows: 1. We have submitted 2% bid security defaced/hidden price to keep our financial proposal confidential. The 2% bid security is verifiable in financial bid that is attached original. 2. Our quoted products are also NMPA/CFDA/FDA approved (Certificate enclosed). The legal authenticity of China SFDA was obsolete in March 2013 and the term SFDA Certification advertised in Technical Specifications have no legal authenticity and does not implementable as per China Medical Devices Law also SFDA passed medical devices are no more acceptable as per	Mr. Zafar, the representative of M/s Global Marketing Services, attended the meeting and presented its grievance before the grievance redressal committee. The committee heard the view point of the representative of the firm which was examined in the light of Technical Evaluation Report. After due deliberation and discussion the committee unanimously agreed upon following points: 1. As the firm has attached with the grievance application the copy of 2% bid security with unhidden amount which is accepted being in accordance with the requirements of advertised RFQ. 2. The firm has attached webpage print of US FDA Establishment Registration & Device Listing indicating manufacturer name as "Taiwan Advanced Nanotech Inc" whereas quoted product manufacturer is "TianLong Science and Technology Co. Ltd., China" as mentioned in Annexure-B "Technical Bid" of Technical proposal

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					<p>laws of China and Globally. Thus this term must be omitted during technical scrutiny process and declare us responsive bidder as we are fulfilling the CE-IVD criteria.</p> <p>a) Moreover, the current SFDA stands for "The Saudi Food & Drugs Authority (SFDA).</p> <p>b) The chinese most recent legal passing/regulatory body for IVD-Medical Products named as NMPA or CFDA.</p> <p>3. The quoted brand of firm M/s Biolife Technologies is not fully technically compliance with RFQ advertised specifications:</p> <p>i) The requirement is plastic sleeves but firm quoted Plastic combs.</p> <p>ii) High Throughput: The firm has low throughput system i.e 32 samples per run and we have quoted 96 wells system.</p> <p>iii) Quality Certificate clause SFDA is also obsolete/outdated as per China Laws and on these</p>	<p>submitted by the firm. Furthermore, the firm has also submitted Certificate for Exportation of Medical Products which is not authenticated from official website of National Medical Products Administration (NMPA), China and thus cannot be accepted.</p> <p>3. The grievance against M/s Biolife Technologies has been examined thoroughly. The required quality certificate (SFDA) submitted by M/s Biolife Technologies was authenticated from official website of NMPA. Moreover, the specifications of quoted item of M/s Biolife were also found as per advertised specifications according to evaluation by end user and hence declared the status accordingly. Technical offer(s) of only those firm(s) have been declared responsive which fully meet the advertised specifications and tender requirements.</p> <p>Thus, the Grievance of the firm is rejected and status of the firm M/s Global Marketing Services is declared as "Non-Responsive".</p>

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					<p>ground M/s Biolife is passed.</p> <p>iv) Internal Program: Be able to store > 500 groups of program. It is specifications of Ascend Hero 32 not kit contents and looks like it is copy paste to lock the specifications for M/s Biolife Technologies from website.</p> <p>iv) The technical acceptance of only 01 bidder & brand with above deficiencies hence illustrate that procuring agency is favoring to a specific brand & bidder as out of four three bidders are rejected and brand is accepted.</p>	